

**MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES)
SUB-COMMITTEE HELD ON 19 AUGUST 2015 AT 10.23 A.M.
IN THE COUNCIL CHAMBER, WEELEY**

Present: Councillors V E Guglielmi (Chairman), Davis, J Henderson, Massey, Platt, Raby, Watson and White.

In Attendance: Communications Manager (Nigel Brown); Democratic Services Manager (Colin Sweeney), Environmental Services Manager (John Fox), Licensing Assistant (Michael Cook), Licensing Manager (Simon Harvey) and Solicitor (Linda Trembath).

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Amos (with Councillor Massey substituting) and Councillor Newton (with Councillor Raby substituting).

2. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Sub-Committee, held on 22 December 2014, were approved as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were none.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES

The Sub-Committee noted the contents of a report (A1) on the number of hackney carriage and private hire drivers, vehicles and operators, licensed by the Council as at 3 August 2015, which was submitted for information only.

5. APPLICATION FOR THE RENEWAL OF A SEX ESTABLISHMENT LICENCE – ADULT CENTRE, 28 ORWELL ROAD, CLACTON-ON-SEA

The Sub-Committee considered an application (A2) from Miss Amanda Allen for the renewal of the Sex Establishment Licence held in respect of the above premises.

It was reported by the Environmental Services Manager that the Applicant proposed that trading would take place between 9.00am and 8.00pm on Mondays to Saturdays and between 10.00am and 4.00pm on Sundays and the Sub-Committee was advised that the premises complied with the current conditions imposed, as set out in Appendix 'A' to item A.2 of the Report of the Corporate Director (Public Experience).

It was further reported that consultation papers had been sent to Essex Police and the local Ward Councillors. At the time of the meeting, no comments, objections or observations had been received from either. Residents in the neighbourhood considered likely to be affected by the application had been consulted and no objections had been received by the date of the meeting.

Members were informed that notice of the application had been displayed on the premises in the prescribed manner and a public notice to that effect had been published in the local newspaper, as required by statute.

The Sub-Committee had before it, as set out in Appendix 'B' to the report, those grounds, which were material to the determination of such an application, as set out in the Local Government (Miscellaneous Provisions) Act 1982.

The Sub-Committee was informed that the Applicant was not present at the meeting. In answer to a question from the Committee as to the absence of the Applicant, the Licensing Manager advised that the applicant had been advised that unless there were objections to the renewal or any other issues that Members may wish to discuss with her then she had been advised that her attendance at the meeting was not necessary. The Licensing Manager also advised that as far as he was aware there had been no problems with the premises, Applicant or any employees that she may have and that the premises could be subject to inspection by the Council at any time. The Sub-Committee noted and agreed with that approach.

Accordingly, it was **RESOLVED** that the application for the renewal of a Sex Establishment Licence be granted, for one year, subject to the conditions as set out in Appendix 'A' to item A.2 of the Report of the Corporate Director (Public Experience).

6. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Guglielmi, seconded by Councillor White and **RESOLVED** that, under Schedule 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business to be considered below on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A, as amended, of the Act:

(7) Exempt Minutes of the Last Meeting of the Sub-Committee held on 22 December 2014; and

(8, 9 and 10) Reports of the Corporate Director (Public Experience)

B.1 - Applications for the Renewal of Hackney Carriage Drivers' Licences

B.2 - Review of Hackney Carriage and Private Hire Driver's Licence

B.3 - Appeals against Refusal of Hackney Carriage Drivers' Applications

The Committee stood adjourned between 10.32am and 10.43am

7. EXEMPT MINUTES OF THE LAST MEETING

The Exempt Minutes of the last meeting of the Sub-Committee, held on 22 December 2014, were approved as a correct record and signed by the Chairman.

8. APPLICATIONS FOR THE RENEWAL OF HACKNEY CARRIAGE DRIVERS' LICENCES

The Committee considered applications for the renewal of three hackney carriage drivers' licences and the Committee's resolution in each case is detailed in the exempt minutes of the meeting dated 19 August 2015.

9. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Committee considered an application for the review of a hackney carriage and private hire driver's licence and the Committee's resolution is detailed in the exempt minutes of the meeting dated 19 August 2015.

10. **APPEALS AGAINST REFUSAL OF HACKNEY CARRIAGE DRIVERS' APPLICATIONS**

The Committee considered two appeals against the Council's decision to refuse hackney carriage drivers' applications following the failing, in each case, of the Council's knowledge test on three occasions. The Committee's resolution in each case is detailed in the exempt minutes of the meeting dated 19 August 2015.

The meeting was declared closed at 12.53pm.

Chairman